

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.: 10/817,303 Confirmation No.: 1854  
Applicant(s): Owensby  
Filed: 04/02/2004  
Art Unit: 1794  
Examiner: Steven N. Leff  
Title: CONTAINER FOR PACKAGING PERISHABLE FOOD ITEMS

Customer No.: 00826

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

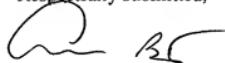
**NOTICE OF APPEAL TO THE BOARD OF PATENT  
APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)**

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated October 20, 2008, rejecting the following Claims 1, 6-14 and 20-28.

The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

- Applicant claims small entity Status.
- A check is enclosed.  
(\$540.00 for large entity fee or \$270.00 if small entity status)
- Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee.
- Any additional fee or refund may be charged to our  
Deposit Account No. 16-0605.
- A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

Respectfully submitted,



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Registration No. 51,429

**CUSTOMER NO. 00826**

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